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UNCLAS SECTION 01 OF 03 MASERU 000337

SIPDIS

DEPT FOR CA/FPP  
JOHANNESBURG FOR RCO  
FOR CA/VO/KCC

PLEASE PASS TO DHS

E.O. 12958: N/A  
TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [LT](#)  
SUBJECT: FRAUD SUMMARY-MASERU

a. COUNTRY CONDITIONS: Lesotho is a landlocked mountainous kingdom, located in the geographical center of and completely surrounded by the Republic of South Africa. Popularly known as the "mountain kingdom", Lesotho has a land area of 30,355 sq km, and a population of 1.88 million people, approximately 250,000 of whom live in the capital city of Maseru. The major languages are English (official) and Sesotho. Due to an HIV/AIDS prevalence rate of 23.2 %, third highest in the world, life expectancy has fallen to 47 years. Lesotho is a constitutional monarchy. King Letsie III neither participates actively in political initiatives nor exercises any executive or legislative powers. Executive authority rests in The Prime Minister who is the head of government. The Department of State rates Maseru a "Critical Crime Threat" post. Nearly 50% of the population lives below the poverty line. The current per capita income is 1,600 dollars per annum. The Government of Lesotho official inflation rate is 6.9%. With an unemployment rate reported to be in excess of 23%, crime and drug use are increasingly prevalent. Robberies, burglaries, life-threatening muggings, carjacking, and car thefts are common occurrences which increase during the December-January holiday season. Lesotho also serves as a final destination for smuggled vehicles. There are frequent reports of hostility toward Asian-Americans and those of Asian appearance. Chinese nationals remain victims of many of these violent attacks.

Newspapers report frequent complaints about corrupt public officials. However, the incidence of overt fraud in Consular operations is low. Issuance and management of vital records and civil documents in Lesotho is characterized by inefficiency and limited internal controls. Automation is gradual and most documents present prime targets for abuse, malfeasance, and basic human error. Marriage certificates and visas are created and maintained manually. Unauthorized documents are easily obtained from corrupt officials for fraudulent use. Births and other vital events reported by a witness are registered with the village chief who, on a regular basis, usually monthly, forwards details to the District Administrator (under the Ministry of Local Government) and the Office of Statistics in the Ministry of Finance. Currently this multilayered system does not pose a major concern but may become so in the future if IVs are ever processed at Post. Certificates are issued in the district where the event occurred. Statistics are also kept by the Registrar General in the Ministry of Law, Constitutional, and Parliamentary Affairs.

The Consular Section has no definitive evidence of smuggling of persons in Lesotho. Proximity and ease of access to population centers make South Africa a popular destination for brief visits and for economic migration (legal and illegal). The Governments of South Africa and Lesotho issue six-month border passes to facilitate border crossings for shopping and brief family visits. Due to the laxity of immigration officials at border

crossings, travelers often neglect to apply for visas authorizing longer stays. Due to family ties and ethnic similarities, Basotho have been known to fraudulently obtain South African passports and identity cards "as insurance" and to facilitate studies. Few authentic civil and legal documents in Lesotho possess anti-fraud features. The machine-readable passport includes a national identification number which changes when the passport is renewed. Few non-machine-readable versions remain in circulation.

Assessment: The level of fraud at post is low.

b. NIV FRAUD: The majority of Post's visa applicants are employed by the Government of Lesotho (GOL) or NGOs. Many apply with Diplomatic notes for official travel, and as exchange visitors. The majority is well-educated with fluent English. A validation study conducted this reporting period on tourist visas, resulted with a confirmed overstay rate of .01%. Results of the validation study indicate that citizens or nationals of Lesotho that are issued a B1, B2, or B1/B2 visa are less likely to overstay or show an indication of fraud. Post is vigilant to other nationals seeking visas that have obtained Lesotho passports with limited time in country.

c. IV FRAUD: Post does not process IVs. However, post adjudicates clearly approvable immediate relative petitions and forwards to Consulate Johannesburg.

d. DV FRAUD: Post does not process DVs.

e. ACS AND U.S. PASSPORT FRAUD: No cases of ACS or U.S. passport fraud were detected this reporting period.

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f. ADOPTION FRAUD: In December 2008, The Government of the Kingdom of Lesotho lifted the suspension on inter-country adoptions for four countries: the U.S., Sweden, The Netherlands and Canada. The Ministry of Health and Social Welfare in The Government of Lesotho (GOL) is in the process of designating one adoption agency to coordinate inter-country adoptions for the U.S. This agency will be responsible for coordinating all adoptions, assisting in monitoring the progress of adopted children and providing follow-up reports to the Ministry of Health and Social Welfare. The Department of Social Welfare (DSW) in the Ministry of Health is alert to fraud trends in inter-country adoptions and is therefore concerned with confirming the adopted child's origin. Post has made regular visits with DSW to ensure that post is kept current with any changes in adoption procedures.

To date, all adopted children from Lesotho have come from a closely controlled organization that provides residential and medical care to abandoned, HIV/AIDS affected orphans and vulnerable children (OVCS), infants to age five. This orphanage networks with the GOL and other organizations to advocate for the rights of children and the establishment of an effective adoption/foster care program in Lesotho. As a result, DSW prefers to process adoptions of children belonging to this orphanage as they are certain that the child's family and medical history in question is well documented. Post visited the orphanage to learn more of its conditions, operations, and how they place the children. Post has not processed adoption cases this reporting period.

g. USE OF DNA TESTING: Post does not process any visas based on relationship. Polygamy is not illegal in Lesotho. However, it is not widespread. It is not uncommon for members of the royal family to marry distant cousins. While international courier services are available in Lesotho, post does not have a panel physician. Should DNA testing be recommended, applicants would be referred to a panel physician in Johannesburg for collection and shipping of the samples.

h. ASYLUM AND OTHER DHS BENEFIT FRAUD: Post processed one case of a Cuban applicant requesting parole into the United States

under the Cuban medical personnel parole program administered by DHS. Post has not documented any fraud in DHS benefit cases.

i. ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, AND TERRORIST TRAVEL: To date post has not documented trends which directly impact consular operations. According to Lesotho's Passport and Immigration Services, citizens of some countries such as China, India and Bangladesh, have fraudulently obtained legitimate Lesotho passports by circumventing the resident requirement system. Lesotho is a transit point for entering South Africa. Due to the lack of tracking entry/exit, post is aware of the potential for terrorist travel. Previously, the Basotho took advantage of visa free travel to the UK as a stepping stone to Europe and the United States. However, as of July 2009 the UK withdrew visa waiver privileges for Lesotho.

j. DS CRIMINAL FRAUD INVESTIGATIONS: The Consular Section has a strong and excellent working relationship with Post's first RSO, and two LES staff. They are consistently responsive to consular requests for assistance and are collaborative with sharing critical information. No cases have been referred to RSO this reporting period.

k. HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, AND CIVIL REGISTRY: Basotho use their Lesotho passport as proof of identity for all banking, business transactions, and regional travel. The biodata page of the Lesotho passport contains a digitized photograph and is laminated. In addition to the passport number, it also contains a personal identification number consisting of the holder's date of birth - dd/mm/yy- followed by a letter code indicating place of birth, and additional characters whose significance is unclear even after talking with officials at the passport office. The format changes each time a passport is renewed. Legitimately issued birth certificates and marriage certificates are prone to transcription errors which have caused delays in the renewal of U.S. passports.

Blank passport applications are available either from the passport office or from the government appointed village chief in one's home district (Note: Village chief may not be synonymous with the village headman who may only be a traditional leader). As a preliminary step an individual - no matter where they were born - must obtain an endorsement, easily forged, on the passport application from the village chief of

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his/her ancestral village. A passport fee of 100.00 Maloti (about \$10.00) is paid to the District sub-accounting office of the Ministry of Finance. The applicant subsequently takes the receipt and the endorsed application to the passport office. Thus begins what is reported to be up to a two-year wait before the passport can be issued. Currently the media describe small scale corruption in the long queues of applicants waiting to submit applications and receipts. Slipping the equivalent of about \$2.50 to a monitor ensures one gets bumped to the head of the line! Queue monitors boast of a take of \$10 - \$20 per day. Once inside the passport office, it is not clear how long processing takes. Some persons report passport pick up after only 24 hours, while others continue to wait years. Officials at the Ministry of Home Affairs report plans to streamline operations in order to reduce issuance to 30 days. Civil birth certificates are easily obtained requiring only the report of a witness to a village chief who submits reports to various government entities.

l. COOPERATION WITH HOST GOVERNMENT AUTHORITIES: Host government authorities are cooperative and have willingly assisted in the verification of civil documents.

m. AREAS OF PARTICULAR CONCERN: Post has received reports from government officials concerned over the ease of acquiring legitimate documents, mainly passports, from other government officials. In addition to this, the lack of tracking entries and exits at ports of entry is also an ongoing concern.

n. STAFFING AND TRAINING: Post's Consular Section consists of one Consular Officer/Chief and one LES Consular Assistant; neither have participated in formal fraud based training in Washington. However, Consular Officer has had extensive on-the-job and previous post training at a high level fraud post.  
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